## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

## **SCHEDULING ORDER**

In consideration of the parties' Joint Motion for Extension of Scheduling Order, the deadlines set forth in this Court's Order of September 13, 2012 (Doc. No. 49) are hereby modified as set forth below. The disposition of this case will now be controlled by the following schedule of deadlines. The parties shall also comply with the deadlines required by Rule 26 of the Federal Rules of Civil Procedure and Rule CV-16 of the Local rules of the Western District of Texas, as applicable. This Order does not supplant the requirements of Local Rule CV-16, nor any other Local rule with which it conflicts.

PRETRIAL EVENTS	DEADLINE
MOTIONS FOR LEAVE TO FILE AMENDED and/or	4/30/2013
SUPPLEMENTAL PLEADINGS will be filed by this date.	
PARTIES asserting claims for relief shall provide their	
designation of testifying experts to the other parties.	
PARTIES resisting claims for relief shall provide their	5/30/2013
designation of testifying experts to the other parties. All	

designations of rebuttal experts shall be provided to the other	
parties within 30 days of receipt of the report of the opposing	
expert.	
DISCOVERY shall be completed by this date. Counsel may, by	7/15/2013
agreement, continue discovery beyond this date, but there will be	771372013
no intervention by the Court, such as Rule 37 proceedings, absent	
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a showing of extreme prejudice. No trial setting will be vacated	
because of information acquired in post-deadline discovery.	0/12/2012
DISPOSITIVE MOTIONS, as defined in Local Rule CV-7(h),	8/13/2013
must be filed by this date.	
NOTE: The Court will not act upon any motion, either dispositive	
or non-dispositive, which fails to comply with Local Rule CV-7.	
Motions are limited to 20 pages in length unless otherwise	
authorized by the Court. Absent specific order of the Court,	
discovery is not to be held in abeyance pending ruling of the	
Court on any motion.	
Pursuant to FRE 702, an objection to reliability of expert's	7/29/2013
proposed testimony shall be made within 30 days of receipt of the	
written report of the expert's proposed testimony, or within 30	
days of the expert's deposition, whichever is later, but must be	
filed no later than this date. Such a motion must specifically state	
the basis for the objection and identify the objectionable	
testimony.	10/12/2013
The items required by Local Rule CV-16(e) must be filed by this	10/12/2013
date.	
NOTE: The list of proposed witnesses shall include a brief, but	
specific, statement of the testimony to be offered by the witness.	
Pursuant to Local Rule 16(f), the parties should submit objections	10/19/2013
to specified deposition testimony, and objections to the	
admissibility of any exhibits. The objections should be detailed	
and specific. Objections not disclosed by this date, other than	
objections under Rules 402 and 403 of the Federal Rules of	
Evidence, shall be deemed waived unless excused by the Court	
for good cause shown.	11/04/2012
NON-JURY TRIAL will begin at 9 A.M. on this date in	11/04/2013
District Courtroom # 1, United States Courthouse, 800	
Franklin Avenue, Waco, Texas, Counsel MUST be prepared	
for trial by this date and thereafter will be subject to call by	
the Clerk on short notice.	
EXHIBITS TO BE USED AT TRIAL SHOULD BE BOUND	·
IN THREE-RING BINDERS (one copy for Judge Smith,	
original exhibits for Court Clerk). ALL EXHIBITS MUST	
BE MARKED PRIOR TO TRIAL.	
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SIGNED this day of	, 2013.	

UNITED STATES DISTRICT JUDGE